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EXAMINER	
GRAHAM, CLEMENT B	
ART UNIT	**PAPER NUMBER**
3628	

DATE MAILED: 07/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/852,599	COBRINIK ET AL.	
	Examiner	Art Unit	
	Clement B. Graham	3628	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on *10 May 2001*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-26* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-26* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-26, are rejected under 35 U.S.C. 102(e) as being anticipated by Rebane U.S Patent 6,405, 179).

As per claim 1, Rebane discloses a method of using a computer to determine an amount of investor money working in an investment vehicle including at least one investor and multiple investments, comprising the steps of

receiving fund management information relating to said investment vehicle; receiving investor information relating to an investor;

calculating on said computer, using said fund management information and said investor information, an IPAC to determine the amount of money working in said investment vehicle; and outputting from said computer said IPAC; said step of calculating said IPAC comprising

$$IPAC = \frac{\sum_{t=1}^{n} P_t * (a + \sum_{t=1}^{t} (r_t * I_t))}{c_t}$$

Where

$$I_t = \min(c_t, m_t) \; nc_t a + E e_t$$

where:

n = the total number of investments made by an investment vehicle to date, including investments which have been liquidated such as being paid out in cash or 20 determined to have zero value

a = total called investor capital awaiting investment

c_1= the cost to the fund of the i^{th} investment of the n investments
m; = the most recent fair value of the i^{th} investment as determined by the fund's manager I; (expressed formulaically above) - minimum (ci, mi); i.e. the lower of the cost of the i^{1m} investment (i.e. ci) or its most recent fair value as determined by the fund manager, (i.e. mi) ri = the percentage of the i~' investment of the fund remaining at the time of the most recent distribution p_j = the total capital called to date from the jm investor c_t (expressed formulaically above) = the total value of called capital awaiting investment plus the aggregate cost of all n fund investments.(Note abstract and see column 8 lines 14-31 and column 9 lines 63-67 and column 10 lines 1-6 and column 11 lines 55-56 ad column 12 lines 51-61 and column 13 lines 10-15 and column 14 lines 30-43).

As per claim 2, Rebane discloses further including the steps of calculating an individual IPAC for each of a plurality investors in said investment vehicle; and
outputting each of said individual IPAC's. .(Note abstract and see column 8 lines 14-31 and column 9 lines 63-67 and column 10 lines 1-6 and column 11 lines 55-56 ad column 12 lines 51-61 and column 13 lines 10-15 and column 14 lines 30-43).

As per claim 3, Rebane discloses further including the steps of outputting for each of the investors a profile including a list of said multiple 15 investments of said investment vehicle;
outputting for each of the investors said IPAC; and
providing a respective profile and IPAC to each of the investors. .(Note abstract and see column 8 lines 14-31 and column 9 lines 63-67 and column 10 lines 1-6 and column 11 lines 55-56 ad column 12 lines 51-61 and column 13 lines 10-15 and column 14 lines 30-43).

As per claim 4, Rebane discloses a apparatus for determining an amount of investor money working in an investment vehicle including at least one investor and multiple investments, comprising:
a processor;
a memory connected to said processor, said memory including instructions for controlling the operation of said processor;
said processor operative with said instructions in said memory to perform the steps of inputting into the computer fund management information relating to said investment vehicle;

inputting into the computer investor information relating to an investor; calculating on said computer, using the fund management and investor information, a first IPAC to determine the amount of money working in said investment vehicle for a first investor; and outputting from said computer said IPAC; said step of calculating said IPAC comprising;

$$IPAC = \frac{P_i * a + E(r^{*1} \bullet)}{C}$$

Where

$$l_t = min(c,)$$

$$e_t = a + Ec_i$$

where:

n = the total number of investments made by an investment vehicle to date, including investments which have been liquidated such as being paid out in cash or determined to have zero value a = total called investor capital awaiting investment

c; = the cost to the fund of the ith investment of the n investments

mi = the most recent fair value of the i^{th} investment as determined by the fund's manager 1, (expressed formulaically above) - minimum (c,, mi); i.e. the lower of the cost of the i^{th} investment (i.e. ci) or its most recent fair value as determined by the fund manager, (i.e. m,)

ri = the percentage of the i^{h} investment of the fund remaining at the time of the most recent distribution

pj = the total capital called to date from the jcn investor

c_t (expressed formulaically above) = the total value of called capital awaiting investment plus the aggregate cost of all n fund investments. .(Note abstract and see column 8 lines 14-31 and column 9 lines 63-67 and column 10 lines 1-6 and column 11 lines 55-56 ad column 12 lines 51-61 and column 13 lines 10-15 and column 14 lines 30-43).

As per claim 5, Rebane discloses wherein said processor is further operative to perform the steps of:

calculating an individual IPAC for each of a plurality of investors in said investment vehicle; and outputting each of said individual IPAC's. .(Note abstract and see column 8 lines 14-31 and column 9 lines 63-67 and column 10 lines 1-6 and column 11 lines 55-56 ad column 12 lines 51-61 and column 13 lines 10-15 and column 14 lines 30-43).

As per claim 6, Rebane discloses wherein said processor is further operative to perform the steps of

outputting for each of the investors a profile including a list of said multiple investments of said investment vehicle;

outputting for each of the investors said IPAC; and

providing a respective profile and IPAC to each of the investors. .(Note abstract and see column 8 lines 14-31 and column 9 lines 63-67 and column 10 lines 1-6 and column 11 lines 55-56 ad column 12 lines 51-61 and column 13 lines 10-15 and column 14 lines 30-43).

As per claim 7, Rebane discloses wherein said memory further stores a financial advisor database containing information relating to the at least one investor. .(Note abstract and see column 8 lines 14-31 and column 9 lines 63-67 and column 10 lines 1-6 and column 11 lines 55-56 ad column 12 lines 51-61 and column 13 lines 10-15 and column 14 lines 30-43).

As per claim 8, Rebane discloses wherein said memory further stores a fund management database containing information relating to said multiple investments. .(Note abstract and see column 8 lines 14-31 and column 9 lines 63-67 and column 10 lines 1-6 and column 11 lines 55-56 ad column 12 lines 51-61 and column 13 lines 10-15 and column 14 lines 30-43).

As per claim 9, Rebane discloses a apparatus for determining an amount of investor money working in an investment vehicle including at least one investor and multiple investments, comprising:

means for determining fund management information relating to said investment vehicle;

means for determining investor information relating to an investor;

means for calculating on said computer, using said fund management information and said investor information, an IPAC to determine the amount of money working in said investment vehicle for a first investor; and

means for outputting from said computer said IPAC;

said step of calculating said IPAC comprising:

$$IPAC_j = \sum_{i=1}^{n} (a + E(ti * l_i) * p_i$$

Where

$l_i = min(c_i, m_i)$

$c_t = a + \sum_{i=1} c_i$

where:

n = the total number of investments made by an investment vehicle to date, including investments which have been liquidated such as being paid out in cash or 5 determined to have zero value

a = total called investor capital awaiting investment

ci = the cost to the fund of the i^{th} investment of the n investments

m, = the most recent fair value of the i^{h} investment as determined by the fund's manager li (expressed formulaically above) - minimum (ci, m;); i.e. the lower of the cost of the i^{th} investment (i.e. ci) or its most recent fair value as determined by the fund manager, (i.e. mi)

r, = the percentage of the i^{th} investment of the fund remaining at the time of the most recent distribution pi = the total capital called to date from the jth investor

c_t (expressed formulaically above) = the total value of called capital awaiting investment plus the aggregate cost of all n fund investments. .(Note abstract and see column 8 lines 14-31 and column 9 lines 63-67 and column 10 lines 1-6 and column 11 lines 55-56 ad column 12 lines 51-61 and column 13 lines 10-15 and column 14 lines 30-43).

As per claim 10, Rebane discloses a program product containing computer-executable instructions operative to control a computer to determine an amount of investor money working in an investment vehicle including at least one investor and multiple investments, said program product comprising:

said instructions operative to control said computer to perform the steps of inputting into the computer fund management information relating said investment vehicle;

inputting into the computer investor information relating to an investor;

calculating on said computer, using said fund management information and said investor information, an IPAC to determine the amount of money working in said investment vehicle for a investor; and

outputting from said computer said IPAC;

said step of calculating said IPAC comprising

$IPAC_J = \frac{p \sim * a + (r * i_{1})}{c_t}$

Where

$l_i = \min(c_i, m_i)$

$c_t = a + \sum_{i=1}^{n} c_i$

where:

n = the total number of investments made by an investment vehicle to date, including investments which have been liquidated such as being paid out in cash or determined to have zero value

a = total called investor capital awaiting investment

ci = the cost to the fund of the i^{th} investment of the n investments

mi = the most recent fair value of the i^{th} investment as determined by the fund's manager li (expressed formulaically above) - minimum (ci, mi); i.e. the lower of the cost of the i^{th} investment (i.e. ci) or its most recent fair value as determined by the fund manager, (i.e. mi)

r_i = the percentage of the i^{th} investment of the fund remaining at the time of the most recent distribution

pi = the total capital called to date from the j^{th} investor

c_t (expressed formulaically above) = the total value of called capital awaiting investment plus the aggregate cost of all n fund investments. .(Note abstract and see column 8 lines 14-31 and column 9 lines 63-67 and column 10 lines 1-6 and column 11 lines 55-56 ad column 12 lines 51-61 and column 13 lines 10-15 and column 14 lines 30-43).

As per claim 11, Rebane discloses a method of determining an amount of investor money working in an investment vehicle including at least one investor and multiple investments, comprising the steps of determining fund management information relating to said investment vehicle;

determining investor information relating to said at least one investor; calculating an IPAC to determine the amount of money working in said investment vehicle for an investor; and providing said IPAC to said investor;

said step of calculating said IPAC comprising

$$IPAC_J = \frac{p \sim * a + (r * i_1)}{c_t}$$

Where

$1, = \min(c_i, m_i)$

$c, = a + \sum_{i=1}^{n} c_i$

where:

n = the total number of investments made by an investment vehicle to date, including investments which have been liquidated such as being paid out in cash or determined to have zero value

a = total called investor capital awaiting investment

ci = the cost to the fund of the i^{h} investment of the n investments

m; = the most recent fair value of the i^{h} investment as determined by the fund's manager 1; (expressed formulaically above) - minimum (ci, mi); i.e. the lower of the cost of the i^{th} investment (i.e. ci) or its most recent fair value as determined by the fund manager, (i.e. mi)

r, = the percentage of the i^{th} investment of the fund remaining at the time of the most recent distribution

p1= the total capital called to date from the jth investor

c_1 (expressed formulaically above) = the total value of called capital awaiting investment plus the aggregate cost of all n fund investments.

As per claim 12, Rebane discloses a method of using a computer to manage an investment profile of an investor, comprising the steps of determining an initial investment profile for said investor;

developing, based on said initial investment profile, a recommended investment portfolio including calculating an initial investment amount in an investment fund including multiple investments;

inputting into the computer fund management information relating to a change in one of said multiple investments;

receiving into the computer investor information relating to said investor; calculating on the computer an IPAC to determine the amount of money working in said investment vehicle for said investor;

said step of calculating said first IPAC comprising

$_{p} \sim * a + (r * i_{1})$

$IPAC_J =$
c_t

Where
$1, = \min(c_i, m_i)$
n
$c, = a + \mathrm{E}\, c_i$
$i=1$
where:
n = the total number of investments made by an investment vehicle to date, including investments which have been liquidated such as being paid out in cash or determined to have zero value
a = total called investor capital awaiting investment
c, = the cost to the fund of the i^h investment of the n investments
m; = the most recent fair value of the ith investment as determined by the fund's manager
li (expressed formulaically above) - minimum (c_i, mi); i.e. the lower of the cost of the i^{th} investment (i.e. cl) or its most recent fair value as determined by the fund manager, (i.e. m;)
r; = the percentage of the i~' investment of the fund remaining at the time of the most recent distribution
pj = the total capital called to date from the jrh investor
c_t (expressed formulaically above) = the total value of called capital awaiting investment plus the aggregate cost of all n fund investments.
outputting from said computer said IPAC;
determining using said IPAC, if said initial investment portfolio including said change in one of said multiple investments satisfies said initial investment profile. .(Note abstract and see column 8 lines 14-31 and column 9 lines 63-67 and column 10 lines 1-6 and column 11 lines 55-56 ad column 12 lines 51-61 and column 13 lines 10-15 and column 14 lines 30-43).

As per claim 13, Rebane discloses further including the step of recommending to said investor a change in said investment portfolio. .(Note abstract and see column 8 lines 14-31 and column 9 lines 63-67 and column 10 lines 1-6 and column 11 lines 55-56 ad column 12 lines 51-61 and column 13 lines 10-15 and column 14 lines 30-43).

As per claim 14, Rebane discloses further including the steps of. outputting said recommended portfolio;
outputting said change to said one of said multiple investments; outputting said IPAC; and

providing said recommended portfolio, said change to said one of said multiple investments and said IPAC to said investor. .(Note abstract and see column 8 lines 14-31 and column 9 lines 63-67 and column 10 lines 1-6 and column 11 lines 55-56 ad column 12 lines 51-61 and column 13 lines 10-15 and column 14 lines 30-43).

As per claim 15, Rebane discloses apparatus for managing an investment profile of an investor, comprising: a processor;

a memory connected to said processor, said memory containing instructions operative with said processor to perform the steps of determining an initial investment profile for said investor; developing, based on said initial investment profile, a recommended investment portfolio including calculating an initial investment amount in an investment fund including multiple investments;

inputting into the computer fund management information relating to a change in one of said multiple investments;

inputting into the computer investor information relating to said investor; calculating on the computer an IPAC to determine the amount of money working in said investment vehicle for said investor;

said step of calculating said fast IPAC comprising:

$$IPAC_J = \frac{{}_{p}\sim * a + (r * {}_{i})}{c_t}$$

Where

$1, = \min(c_i, m)$

$$c, = a + \mathrm{E}\, c_i$$

where:

n = the total number of investments made by an investment vehicle to date, including investments which have been liquidated such as being paid out in cash or determined to have zero value

a = total called investor capital awaiting investment

ci = the cost to the fund of the i^6 investment of the n investments

m_i = the most recent fair value of the it" investment as determined by the fund's manager Ii (expressed formulaically above) - minimum (ci, m); i.e. the lower of the cost of the ith investment (i.e. ci) or its most recent fair value as determined by the fund manager, (i.e. mi) ri = the percentage of the ith investment of the fund remaining at the time of the most recent distribution pi = the total capital called to date from the j^{ti} investor

c_t (expressed formulaically above) = the total value of called capital awaiting investment plus the aggregate cost of all n fund investments.

outputting from said computer said IPAC; and

determining using said IPAC, if said initial investment portfolio including said change in one of said multiple investments satisfies said initial investment profile.

As per claim 16, Rebane discloses wherein said processor is further operative with the instructions in said memory to perform the steps of

outputting said recommended portfolio;

outputting said change to said one of said multiple investments;

outputting said IPAC; and

transmitting said recommended portfolio, said change to said one of said multiple investments and said IPAC to said investor. .(Note abstract and see column 8 lines 14-31 and column 9 lines 63-67 and column 10 lines 1-6 and column 11 lines 55-56 ad column 12 lines 51-61 and column 13 lines 10-15 and column 14 lines 30-43).

As per claim 11, Rebane discloses wherein said memory further contains an investor database containing information relating to the investors. .(Note abstract and see column 8 lines 14-31 and column 9 lines 63-67 and column 10 lines 1-6 and column 11 lines 55-56 ad column 12 lines 51-61 and column 13 lines 10-15 and column 14 lines 30-43).

As per claim 18, Rebane discloses wherein said memory further contains an investment database containing information relating to said multiple investments. .(Note abstract and see column 8 lines 14-31 and column 9 lines 63-67 and column 10 lines 1-6 and column 11 lines 55-56 ad column 12 lines 51-61 and column 13 lines 10-15 and column 14 lines 30-43).

As per claim 19, Rebane discloses a method for managing an investment profile of an investor, comprising the steps of determining an initial investment profile for said investor;

developing, based on said initial investment profile, a recommended investment portfolio including calculating an initial investment amount in an investment fund including multiple investments;

determining a change in one of said multiple investments;

calculating an IPAC to determine the amount of money working in said investment vehicle for said investor;

said step of calculating said first IPAC comprising

$$IPAC_J = \frac{{}_p\sim * a + (r * {}^{i}{}_{1})}{c_t}$$

Where

$1, = \min(c_i, m_i)$

$$c, = a + \mathrm{E}\, c_i$$

$i=1$

where:

n = the total number of investments made by an investment vehicle to date, including investments which have been liquidated such as being paid out in cash or determined to have zero value

a = total called investor capital awaiting investment

c; = the cost to the fund of the i^f investment of the n investments

m; = the most recent fair value of the i^{th} investment as determined by the fund's manager; (expressed formulaically above) - minimum (c_i, m_i); i.e. the lower of the cost of the ith investment (i.e. ci) or its most recent fair value as determined by the fund manager, (i.e. m,)

r; = the percentage of the i^{ar} investment of the fund remaining at the time of the most recent distribution p; = the total capital called to date from the jrh investor

c_t (expressed formulaically above) = the total value of called capital awaiting investment plus the aggregate cost of all n fund investments; and determining using said IPAC, if said initial investment portfolio including said change in one of said multiple investments satisfies said initial investment profile. .(Note abstract and see column 8 lines 14-31 and column 9 lines 63-67 and column 10 lines 1-6 and column 11 lines 55-56 ad column 12 lines 51-61 and column 13 lines 10-15 and column 14 lines 30-43).

As per claim 20, Rebane discloses apparatus for managing an investment profile of an investor comprising: means for determining an initial investment profile for said investor; means for developing, based on said initial investment profile, a recommended investment portfolio including calculating an initial investment amount in an investment fund including multiple investments;

means for inputting into the computer information relating to a change in one of said multiple investments;

means for calculating on the computer an IPAC to determine the amount of money working in said investment vehicle for said investor;

said step of calculating said first IPAC comprising

$$IPAC_J = \frac{{}_p\sim * a + (r * {}^{i}{}_{1})}{c_t}$$

Where

$1, = \min(c_i, m_i)$

$$c, = a + \mathrm{E}\, c_i$$

$i=1$

where:

n = the total number of investments made by an investment vehicle to date, including investments which have been liquidated such as being paid out in cash or determined to have zero value

a = total called investor capital awaiting investment

c; = the cost to the fund of the i~' investment of the n investments

m; = the most recent fair value of the i^{th} investment as determined by the fund's manager

l; (expressed formulaically above) - minimum (c;, m;); i.e. the lower of the cost of the i^{th} investment (i.e. ci) or its most recent fair value as determined by the fund manager, (i.e. m;)

ri = the percentage of the i^{th} investment of the fund remaining at the time of the most recent distribution

p; = the total capital called to date from the i h investor

c_t (expressed formulaically above) = the total value of called capital awaiting investment plus the aggregate cost of all n fund investments

means for outputting from said computer said IPAC; and

means for determining using said IPAC, if said initial investment portfolio including said change in one of said multiple investments satisfies said initial investment 20 profile. .(Note abstract and see column 8 lines 14-31 and column 9 lines 63-67 and column 10 lines 1-6 and column 11 lines 55-56 ad column 12 lines 51-61 and column 13 lines 10-15 and column 14 lines 30-43).

As per claim 21, Rebane discloses further comprising: means for outputting said recommended portfolio;

means for outputting said change to said one of said multiple investments; means for outputting said IPAC; and

means for transmitting said recommended portfolio, said change to said one of said multiple investments and said IPAC to said investor. .(Note abstract and see column 8 lines 14-31 and column 9 lines 63-67 and column 10 lines 1-6 and column 11 lines 55-56 ad column 12 lines 51-61 and column 13 lines 10-15 and column 14 lines 30-43).

As per claim 22, Rebane discloses a program product containing computer-executable instructions operative to manage an investment profile of an investor, said program product comprising:

said instructions operative to control said computer to perform the steps of determining an initial investment profile for said investor;

developing, based on said initial investment profile, a recommended investment portfolio including calculating an initial investment amount in an investment fund including multiple investments;

inputting into the computer information relating to a change in one of said multiple investments;

calculating on the computer an IPAC to determine the amount of money working in said investment vehicle for said investor;

said step of calculating said first IPAC comprising

$$IPAC_J = \frac{{}_{p}\sim * a + (r * {}^{i}{}_{1})}{c_t}$$

Where

$1, = \min(c_i, m)$

$c, = a + \mathrm{E}c_i$

i=1

where:

n = the total number of investments made by an investment vehicle to date, including investments which have been liquidated such as being paid out in cash or determined to have zero value

a = total called investor capital awaiting investment

ci = the cost to the fund of the i^{th} investment of the n investments

mi = the most recent fair value of the i^{th} investment as determined by the fund's manager li (expressed formulaically above) - minimum (ci, mi); i.e. the lower of the cost of the i^{th} investment (i.e. c) or its most recent fair value as determined by the fund manager, (i.e. mi)

r; = the percentage of the ith investment of the fund remaining at the time of the most recent distribution pi = the total capital called to date from the ja, investor

c_t (expressed formulaically above) = the total value of called capital awaiting investment plus the aggregate cost of all n fund investments

outputting from said computer said IPAC; and

determining using said IPAC, if said initial investment portfolio including said change in one of said multiple investments satisfies said initial investment profile. .(Note abstract and see column 8 lines 14-31 and column 9 lines 63-67 and column 10 lines 1-6 and column 11 lines 55-56 ad column 12 lines 51-61 and column 13 lines 10-15 and column 14 lines 30-43).

As per claim 23, Rebane discloses a method of using a computer to structure an investment portfolio of one investor having multiple investments, comprising the steps of receiving fund management information relating to said investment vehicle; receiving investor information relating to said investor;

calculating on said computer, using said fund management information and said 15investor information, an IPAC to determine the amount of money worlding in said investment vehicle; outputting from said computer said IPAC; and determining, using said IPAC, if a change to said investment portfolio is appropriate;

said step of calculating said first IPAC comprising

$$IPAC_J = \frac{{}_p\sim * a + (r * {}^{i}{}_{1})}{c_t}$$

Where

$1, = \min(c, m)$

$c, = a + \sum_{i=1}^{n} c_i$

where:

n = the total number of investments made by an investment vehicle to date, including investments which have been liquidated such as being paid out in cash or determined to have zero value

a = total called investor capital awaiting investment

c; = the cost to the fund of the i^{th} investment of the n investments

mi = the most recent fair value of the i^{h}investment as determined by the fund's manager I; (expressed formulaically above) - minimum (ci, mi); i.e. the lower of the cost of the i^{th} investment (i.e. c,) or its most recent fair value as determined by the fund manager, (i.e. m,)

r; = the percentage of the i^{th} investment of the fund remaining at the time of the most recent distribution

pi = the total capital called to date from the jth investor

c_t (expressed formulaically above) = the total value of called capital awaiting investment plus the aggregate cost of all n fund investments. .(Note abstract and see column 8 lines 14-31 and column 9 lines 63-67 and column 10 lines 1-6 and column 11 lines 55-56 ad column 12 lines 51-61 and column 13 lines 10-15 and column 14 lines 30-43).

As per claim 24, Rebane discloses Apparatus for structuring an investment portfolio of one investor having multiple investments, comprising:

a processor;

a memory connected to said processor and storing fund management information relating to said investment vehicle and investor information relating to said investor; said processor operative with said fund management information and said investor information and instructions in said memory to perform the steps of calculating on said computer, using said fund management information and said investor information, an IPAC to determine the amount of money working in said investment vehicle;

outputting from said computer said IPAC; and

determining, using said IPAC, if a change to said investment portfolio is appropriate;

said step of calculating said first IPAC comprising

$$IPAC_J = \frac{{}_p\sim * a + (r * i_{1})}{c_t}$$

Where

$1, = \min(c_i, m_i)$

$$c_i = a + \sum_{i=1}^{n} c_i$$

where:

n = the total number of investments made by an investment vehicle to date, including investments which have been liquidated such as being paid out in cash or determined to have zero value

a = total called investor capital awaiting investment

ci = the cost to the fund of the i~' investment of the n investments

m; = the most recent fair value of the i'" investment as determined by the fund's manager 1; (expressed formulaically above) - minimum (ci, m); i.e. the lower of the cost of the i n investment (i.e. c) or its most recent fair value as determined by the fund manager, (i.e. mi)

ri = the percentage of the i^{th} investment of the fund remaining at the time of the most recent distribution pi = the total capital called to date from the j'" investor

c_t (e expressed formulaically above) = the total value of called capital awaiting investment plus the aggregate cost of all n fund investments. .(Note abstract and see column 8 lines 14-31 and column 9 lines 63-67 and column 10 lines 1-6 and column 11 lines 55-56 ad column 12 lines 51-61 and column 13 lines 10-15 and column 14 lines 30-43).

As per claim 25, Rebane discloses a method of using a computer to initiate a buy, sell or hold of a fund in an investment vehicle, comprising the steps of.

receiving fund management information relating to said investment vehicle; receiving investor information relating to said investor;

calculating on said computer, using said fund management information and said investor information, an IPAC to determine the amount of money working in said investment vehicle;

outputting from said computer said IPAC; and

initiating, based on said IPAC, a buy, sell or hold of said fund; said step of calculating said first IPAC comprising

${}_p\sim * a + (r * i_{1})$

$IPAC_J =$
c_t

Where
$1, = \min(c_i, m_i)$
n
$c, = a + \mathrm{E}\, c_i$
$i=1$
where:
n = the total number of investments made by an investment vehicle to date, including investments which have been liquidated such as being paid out in cash or determined to have zero value a = total called investor capital awaiting investment
c, = the cost to the fund of the i^{v} investment of the n investments
m_i = the most recent fair value of the i^{fl} investment as determined by the fund's manager Ii (expressed formulaically above) - minimum (ci, mi); i.e. the lower of the cost of the ith investment (i.e. ci) or its most recent fair value as determined by the fund ._t manager, (i.e. mi)
r, = the percentage of the i^{d} investment of the fund remaining at the time of the most recent distribution
pi = the total capital called to date from the jt" investor
c_t (expressed formulaically above) = the total value of called capital awaiting investment plus the aggregate cost of all n fund investments. .(Note abstract and see column 8 lines 14-31 and column 9 lines 63-67 and column 10 lines 1-6 and column 11 lines 55-56 ad column 12 lines 51-61 and column 13 lines 10-15 and column 14 lines 30-43).

As per claim 26, Rebane discloses apparatus for initiating a buy, sell or hold of a fund in an investment vehicle, comprising:
a processor;
a memory connected to said processor and storing fund management information relating to said investment vehicle and investor information relating to said investor;
said processor operative with said fund management information and said investor information and instructions in said memory to perform the steps of calculating on said computer, using said fund management information and said investor information, an IPAC to determine the amount of money working in said investment vehicle;
outputting from said computer said IPAC; and

initiating a buy, sell or hold, based on said IPAC, of said fund; said step of calculating said first IPAC comprising

$$IPAC_J = \frac{{}_p\sim * a + (r * i_1)}{c_t}$$

Where

$1, = \min(c_i, m_i)$

$$c_t = a + \sum_{i=1}^{n} c_i$$

where:

n = the total number of investments made by an investment vehicle to date, including investments which have been liquidated such as being paid out in cash or determined to have zero value a = total called investor capital awaiting investment

ci = the cost to the fund of the i^{th} investment of the n investments

mi = the most recent fair value of the i" investment as determined by the fund's manager ; (expressed formulaically above) - minimum (c_i, mi); i.e. the lower of the cost of the i^{th} investment (i.e. ci) or its most recent fair value as determined by the fund manager, (i.e. mi)

ri = the percentage of the i^{th} investment of the fund remaining at the time of the most recent distribution p_j = the total capital called to date from the jtn investor c_t (expressed formulaically above) = the total value of called capital awaiting investment plus the aggregate cost of all n fund investments. .(Note abstract and see column 8 lines 14-31 and column 9 lines 63-67 and column 10 lines 1-6 and column 11 lines 55-56 ad column 12 lines 51-61 and column 13 lines 10-15 and column 14 lines 30-43).

Conclusion

3. The prior art of record and not relied upon is considered pertinent to Applicants disclosure. Ryan (US 5,673,402 Patent) teaches a computer system for producing an illustration of investment repaying a mortgage.

Wolberg (US Pub 2001/0044765) teaches a method for funding post secondary education.

Libman (US Patent No 6,076,072) teaches a method and apparatus for preparing client communication involving financial products and services.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Clement B Graham whose telephone number is 703-305-1874. The examiner can normally be reached on 7am to 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hyung S. Sough can be reached on 703-308-0505. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-0040 for regular communications and 703-305-0040 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

CG

July 27, 2006

FRANTZY POINVIL
PRIMARY EXAMINER
AU 3628